

WASHINGTON, DC—Congressman Joe Sestak (PA-07) supported H.R. 1029, the Alien Smuggling and Terrorism Prevention Act of 2009, which passed the House of Representatives by a voice vote on March 31, 2009. The bill provides tools for law enforcement to combat human smuggling and also amends sentencing guidelines by establishing a mandatory minimum sentence of five years for any person convicted of these crimes. Additionally, this bill adds longer prison sentences for convicted smugglers who expose victims to dangers, including kidnapping and rape.

“This bill is an important step in securing our borders in a responsible way and preventing many of the terrible abuses that occur with human trafficking,” said Congressman Sestak.

Bill Summary

H.R. 1029 amends Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and other related crimes. Specific Provisions include:

Directs the Secretary of Homeland Security to check against all available terrorist watchlists those alien smugglers and smuggled individuals who are interdicted at U.S. land, air, and sea borders.

Revises alien smuggling and related criminal offense and penalty provisions. Provides extraterritorial jurisdiction over such offenses.

Limits a defense of necessity for knowingly bringing an illegal alien into the United States from the high seas.

Exempts from certain of such violations (transporting or harboring in the United States) a bona fide nonprofit, religious organization in the United States (or its agents or officers), unless the organization recruits, encourages, or induces an alien to come to or enter the United States, that encourages, invites, or enables an alien who is present in the United States to serve as a volunteer minister or missionary for such organization in the United States, provided the minister or missionary has been a member of the denomination for at least one year.

Directs the United States Sentencing Commission to review and amend as appropriate sentencing guidelines and policy statements applicable to persons convicted of alien smuggling offenses and criminal failure to heave to or obstruction of boarding.

Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for

31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the U.S. Congress.

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